

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS MANUEL ORTIZ,

Defendant.

**4:16CR3119**

**ORDER**

Defendant has moved to continue the trial and pretrial motion deadlines, (Filing Nos. 16 & 17), because Defendant has new counsel who needs additional time review this case and confer with the defendant before deciding if pretrial motions should be filed. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

**IT IS ORDERED:**

- 1) Defendant's motions to continue, (Filing Nos. 16 & 17 ), are granted.
- 2) Pretrial motions and briefs shall be filed on or before January 27, 2017.
- 3) Trial of this case is continued pending resolution of any pretrial motions filed
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and January 27, 2017 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 28th day of November, 2016

**BY THE COURT:**

s/ Cheryl R. Zwart  
United States Magistrate Judge